

# JOURNAL OF THE FLORIDA SENATE

Tuesday, April 27, 1976

The Senate was called to order by Senator Poston at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

## INTRODUCTION

By Senator Ware—

SB 932—A bill to be entitled An act relating to labor; prohibiting the employment of aliens who do not have federal authorization to work; authorizing detention of persons believed to be involved in smuggling or transporting such aliens for the purpose of employment, including any such alien; prohibiting any person from aiding, abetting, counseling, recruiting, or procuring for employment an alien who is not authorized by the Federal Government to work in the United States; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Judiciary-Criminal.

By Senator McClain—

SB 933—A bill to be entitled An act relating to murder; amending s. 782.04(1)(a), Florida Statutes; providing that death as a result of unlawful distribution of opium or its synthetic or natural derivative alkaloids is first degree murder; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Criminal and Rules and Calendar.

By Senator Plante—

SCR 934—A resolution directing the Legislative Auditing Committee to evaluate the economic impact in the State of Florida of peak load pricing (rate design) on the electric utilities industry and its consumers.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators W. D. Childers and Tobiassen—

SB 935—A bill to be entitled An act relating to the Escambia County School District; providing for the employment of the school superintendent by the school board; providing for two additional school board members-at-large; providing for student election for school nickname; providing a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Deeb—

SB 936—A bill to be entitled An act relating to the Department of Professional and Occupational Regulation; adding s. 20.30(13), Florida Statutes; providing legislative intent with regard to the role of the professional and occupational examining and licensing boards of the department; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Henderson—

SB 937—A bill to be entitled An act relating to regional neonatal intensive care program centers; providing legislative intent and definitions; establishing the regional neonatal intensive care program centers and providing for affiliated centers to be administered by the Department of Health and Rehabilitative Services through the Children's Medical Services Program Office; providing conditions for grant agreements, reimbursements, and guidelines for disbursing grants; establishing the Neonatal Advisory Council; providing for program review; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Renick—

SB 938—A bill to be entitled An act relating to the State Career Service System; amending s. 110.051(2)(b), Florida Statutes, to allow employees of the Legislature to participate in the meritorious service awards program; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Graham, Firestone, Gordon and Poston—

SB 939—A bill to be entitled An act relating to aquatic preserves; amending s. 258.39(27), Florida Statutes; providing that if the provisions of law establishing the Biscayne Bay Aquatic Preserve are in conflict with provisions of the Florida Aquatic Preserve Act of 1975, the stronger provisions shall prevail; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator J. Thomas—

SB 940—A bill to be entitled An act relating to usury; amending s. 687.03, Florida Statutes, exempting, from certain provisions relating to usurious contracts and unlawful rates of interest, the sale of certain bonds and mortgages and money loaned on them and transactions with respect to which certain offers or commitments to insure or to purchase have been made by agencies of the United States Government or pursuant to federal law; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Dunn—

SB 941—A bill to be entitled An act relating to larceny; adding subsection (6) to s. 812.031, Florida Statutes, restricting the defense of impossibility in a prosecution for an attempt to receive, retain, dispose of, or aid in the concealment of stolen property; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By Senator J. Thomas—

SB 942—A bill to be entitled An act relating to insurance; amending section 631.341(1) and (2), Florida Statutes; providing that notice of the entry of an order of liquidation of an insurer entered by a court of competent jurisdiction in Florida shall be given by the receiver to each general agent and licensed agent of the insurer in Florida; providing that unless the licensed agents, subagents, producing agents, brokers, solicitors, and service representatives shall have replaced or reinsured the insurance coverage placed by or through such licensed agents, subagents, producing agents, brokers, solicitors, and service representatives, such persons shall then by registered or certified mail send to the last known address of any policyholder a written notice of the entry of the order of liquidation of the insurer; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senators Graham, Gordon and Vogt—

SB 943—A bill to be entitled An act relating to correctional work programs; amending s. 944.27, Florida Statutes; providing additional gain-time for inmate participation in correctional work programs; amending s. 944.49(2), Florida Statutes; providing for application of compensation for inmate labor; amending s. 945.06, Florida Statutes; changing the term

"prison industries" to "correctional work programs" and requiring the department to adopt an agricultural and industrial production and marketing program; creating s. 945.061, Florida Statutes; establishing the objectives of the correctional work programs; creating s. 945.062, Florida Statutes; establishing a financing policy for correctional work programs; creating s. 945.063, Florida Statutes; requiring the department to establish operational guidelines and evaluation processes for the correctional work programs and to seek the aid of private labor and management; amending s. 945.16, Florida Statutes; providing that correctional work program products may be sold to political subdivisions, other states, and federal agencies within the state; amending s. 945.17, Florida Statutes; renaming the "Industrial Trust Fund" the "Correctional Work Program Trust Fund"; amending s. 945.18, Florida Statutes; providing for the disposition of the moneys in the fund; amending s. 945.19, Florida Statutes; providing for the establishment of budgeting and accounting procedures for the correctional work programs and the use of moneys in the fund for lease purchase agreements; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Criminal and Ways and Means.

By Senator McClain—

SB 944—A bill to be entitled An act relating to safety equipment inspection of motor vehicles; amending s. 325.14(1), Florida Statutes, 1975, and ss. 325.23 and 325.31, Florida Statutes, providing specific penalties for misdemeanor violations thereof; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Judiciary-Criminal.

By Senator MacKay—

SB 945—A bill to be entitled An act relating to public buildings; amending s. 255.254, Florida Statutes, requiring approval of the Governor and Cabinet prior to construction of certain state buildings the design of which utilizes an energy system other than a solar energy system; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations, Commerce, Ways and Means Subcommittee C and Ways and Means.

By Senator Plante—

SB 946—A bill to be entitled An act relating to state government; providing definitions; authorizing state departments and agencies to recruit, train, and accept volunteers for state service; directing departments and agencies to make certain rules with respect to volunteers; providing benefits for volunteers; requiring state departments and agencies to include information on volunteers in their annual reports to the Legislature and the Governor; requiring departments and agencies to include volunteer impact statements in budget requests to the Legislature; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Senator Gordon (by request)—

SB 947—A bill to be entitled An act relating to community-based facilities of the Department of Offender Rehabilitation; adding s. 944.026(3), Florida Statutes, requiring the department to adopt a fee schedule and charge residents in such facilities; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Deeb—

SB 948—A bill to be entitled An act relating to Pinellas County; establishing the Pinellas County Construction Licensing Board; providing definitions; providing for membership terms, powers, duties, jurisdiction and functions of the board; providing for fees; providing for examination committees, and the membership and duties of the committees; providing for the classification, registration, examination and certification of contractors; providing for the registration and certification of contrac-

ting partnerships, corporations or other legal entities; designating prohibited activities; providing for disciplinary action by the board; providing penalties; providing exemptions; adopting building codes and providing for amendments thereto; repealing chapter 75-489, Laws of Florida, which provides for the issuance of countywide occupational licenses, which provides for the registration and certification of contractors, and which adopts building codes; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Myers, Plante, Lewis and Graham—

SB 949—A bill to be entitled An act relating to the economic impact of proposed legislation and state agency rules; amending s. 120.54(1), (10)(a), Florida Statutes; requiring a summary of economic impact as part of the required notice of proposed agency rules; prescribing information to be included in an estimate of economic impact and requiring such estimate be included in the record presented to the Administrative Procedures Committee; eliminating the option of an agency to refuse to modify a rule objected to by such committee; requiring the Legislature to consider the economic impact of proposed legislation and promulgate a written impact statement prior to its enactment; repealing chapter 76-1, Laws of Florida, the Florida Economic Disclosure Act of 1975, which act requires agencies to prepare economic impact statements along specified lines, requires agencies to make an economic impact statement a part of the record in proceedings relating to agency action under the Administrative Procedure Act, authorizes specified elected officials to request economic impact statements from agencies, and which provides for judicial review; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators W. D. Childers, P. Thomas, Poston, Brantley, Trask, Sims, Deeb, McClain, Scarborough, Hair, J. Thomas, Peterson, Glisson, J. Lane, Plante and D. Childers—

SB 950—A bill to be entitled An act relating to environmental regulation; adding subsections to s. 403.804, Florida Statutes, relating to powers and duties of the Environmental Regulation Commission; prohibiting enforcement of certain environmental standards; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Scarborough—

SB 951—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19(14)(a), Florida Statutes, limiting the reduction of departmental positions in the City of Jacksonville as a result of the 1975 reorganization of the department; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Deeb—

SB 952—A bill to be entitled An act relating to destructive devices; amending s. 790.16, Florida Statutes, removing reference to the throwing of bombs and the penalty therefor and providing a fine and subsequent offender penalty with respect to the crime of discharging a machine gun; amending s. 790.161, Florida Statutes, revising present penalties for the throwing, placing or discharging of destructive devices and eliminating reference to the attempt to discharge a destructive device; amending s. 806.01(1) and (2), Florida Statutes, removing reference to arson by means of explosive; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By Senator Dunn (by request)—

SB 953—A bill to be entitled An act relating to the Beverage Law; amending s. 561.25, Florida Statutes, relating to the

prohibition against certain law enforcement officers and employees engaging in business related to the sale of alcoholic beverages; providing that state, county, or municipal law enforcement officers may own and trade certain securities which are registered with the Securities and Exchange Commission; deleting the provision requiring that an officer be paid not less than the minimum wage when rendering certain private security services; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Myers—

**SJR 954**—A joint resolution proposing an amendment to Section 8, Article IV of the State Constitution, relating to clemency; providing that the power to supervise persons on probation, grant paroles, or grant conditional releases may be vested by law in a commission or agency established for that purpose, or in an existing agency or agencies.

—was read the first time and referred to the Committee on Rules and Calendar.

By Senator Myers—

**SB 955**—A bill to be entitled An act relating to collective bargaining for public employees; amending s. 447.303, Florida Statutes; providing that time limitations on the notice to be given by an employee revoking the authorization to deduct from his salary dues and uniform assessments for an employee organization which is certified as a bargaining agent are subject to negotiation; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Governmental Operations.

By Senator Myers—

**SB 956**—A bill to be entitled An act relating to county and municipal detention facilities; amending s. 951.23(2), Florida Statutes; substituting the Secretary of Department of Offender Rehabilitation for Secretary of Health and Rehabilitative Services as to responsibility for adoption of rules and regulations for such facilities; deleting the requirement that the number of prisoners must relate to floor space; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator J. Lane—

**SB 957**—A bill to be entitled An act relating to ad valorem taxation of tangible personal property; creating s. 196.182, Florida Statutes; providing for the exemption from such taxation of tangible personal property manufactured and produced outside of Florida and brought into the state for transshipment in foreign commerce out of the state for sale; providing methods of computing and claiming the exemption; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senator Henderson—

**SB 958**—A bill to be entitled An act relating to children and youth; providing legislative intent; creating the Florida Commission on Children and Youth; providing for membership and duties; providing for meetings; providing powers and duties of an executive director; providing for transfer of funds and acceptance of grants; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations, Health and Rehabilitative Services and Ways and Means.

By Senator Gordon (by request)—

**SB 959**—A bill to be entitled An act to provide an emergency appropriation to the Department of General Services to cover

a projected deficit in the Supervision Trust Fund; providing legislative intent; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Gordon (by request)—

**SB 960**—A bill to be entitled An act relating to intangible personal property tax, amending s. 199.052(8)(b), Florida Statutes; providing for interest on overdue tax; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senators Sayler and Plante—

**SB 961**—A bill to be entitled An act relating to the state system of public education; creating s. 228.042, Florida Statutes; prohibiting the granting of continuing contracts and tenure status to personnel of the state system of public education; amending ss. 230.23(5)(g), 230.759, 231.36(6), 231.39(2), and 241.731(1), (2)(a), Florida Statutes; deleting provisions relating to continuing contracts and tenure; repealing ss. 231.351, 231.36(3)-(5), (7), and (9), Florida Statutes, relating to continuing contracts and tenure; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator P. Thomas—

**SB 962**—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.109, Florida Statutes; amending s. 121.021(17), Florida Statutes; providing that certain members may purchase up to 4 years of additional retirement credit for previous service with a municipality in this state; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Poston—

**SB 963**—A bill to be entitled An act relating to vehicle dimension control; adding s. 316.196(7), Florida Statutes; providing a maximum width for vehicles used in regularly scheduled local transit service operated by a city transit system; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senator Johnston—

**SB 964**—A bill to be entitled An act relating to payment and disbursement of moneys in the State Treasury; amending ss. 18.02(1), 216.331, Florida Statutes; authorizing, under certain circumstances, payments or disbursements of moneys from the State Treasury by direct deposit of funds to the account of the beneficiary of such payment or disbursement in any financial institution; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations, Commerce and Ways and Means.

By Senator Wilson—

**SB 965**—A bill to be entitled An act relating to the naming of state bridges; authorizing and directing the Department of Transportation to name that portion of State Road 518 which spans the Indian River in Brevard County the Eau Gallie Causeway; directing the department to prepare and locate appropriate signs and markers; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senators Lewis and Hair—

**SB 966**—A bill to be entitled An act relating to retirement; providing for a \$30 per month increase in benefit payments for certain retired members of state-supported retirement

systems, for certain members of such systems who will retire between June 30, 1976, and July 1, 1977, and for the surviving spouse or beneficiary of any person who qualifies for such a \$30 increase; providing a definition; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Poston—

**SJR 967**—A joint resolution proposing an amendment to to Section 9, Article XII of the State Constitution, relating to bonds, to authorize the use of the proceeds of the "second gas tax" for the maintenance of roads.

—was read the first time and referred to the Committee on Rules and Calendar.

By Senator Poston—

**SB 968**—A bill to be entitled An act relating to transportation; providing that the Department of Transportation is responsible for planning water transportation systems and facilities and integrating such systems and facilities into the state comprehensive master transportation plan; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senator Vogt—

**SB 969**—A bill to be entitled An act relating to Brevard County; amending section 4 of chapter 65-1289, Laws of Florida, relating to the budget of the Merritt Island library district board; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Spicola (by request)—

**SB 970**—A bill to be entitled An act relating to environmental land and water management; amending s. 380.06(2), (5)(a), (7), (8) and (13), Florida Statutes, and adding a new subsection (14) thereto, providing a clarification of developments and guidelines which may be reviewed under the section; removing obsolete references; requiring that development orders include findings of fact and conclusions of law; providing procedures whereby a local government may require further review of a development of regional impact which has been approved or vested, without waiving rights to injunctive relief, where a developer proposes a change; providing criteria for further review; requiring regional planning agencies to afford developers or substantially affected parties reasonable opportunity to present evidence before the agency head on proposed regional agency reports and recommendations; authorizing developers to file applications for master development approval of certain projects; providing for rules with respect to state and regional planning agencies; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Poston—

**SB 971**—A bill to be entitled An act relating to the waiver of sovereign immunity in tort actions; repealing ss. 768.28, 768.30, Florida Statutes, which provide for such waiver; providing a saving clause; providing an effective date.

—was read the first time by title and referred to the Committees on Ways and Means and Judiciary-Civil.

By Senator Graham—

**SB 972**—A bill to be entitled An act relating to student athletic insurance; amending s. 232.43, Florida Statutes; authorizing district school boards, school athletic associations and schools of the state to purchase student athletic insurance; authorizing the addition of a surcharge to admission fees to athletic events to purchase the insurance; providing an effective date.

—was read the first time by title and referred to the Committee on Education.

By Senator Spicola—

**SB 973**—A bill to be entitled An act relating to environmental and cultural preservation properties; amending s. 193.501, Florida Statutes; providing that owners of such properties may covenant with the governing boards of counties within which said property is located, with certain state agencies, and with private, nonprofit, conservation organizations not to change the existing use and condition of the property for a term of not less than 30 years; providing for conveyance to said boards, agencies, or organizations of conservation rights and interests in said property; listing certain conservation rights and interests; limiting the right of the board, agency, or organization to reconvey such rights and interests; specifying the manner of, and the factors to be considered in, assessing for tax purposes property subject to said covenants or conveyances; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Governmental Operations.

By Senators Holloway, Renick, Tobiasen, D. Lane, Poston, Trask, Gallen, Zinkil, J. Thomas, Firestone and Gordon—

**SB 974**—A bill to be entitled An act relating to insurance; amending s. 626.970, Florida Statutes; prohibiting insurers from increasing premiums for automobile insurance solely because of citations for traffic violations which did not involve an accident; prohibiting cancellation of automobile insurance, upon occurrence of an accident, after the insured has paid premiums for a specified period or longer; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Transportation.

By Senator Poston—

**SB 975**—A bill to be entitled An act relating to workmen's compensation; creating the Workmen's Compensation Study Commission; providing for membership and duties; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator J. Thomas—

**SB 976**—A bill to be entitled An act relating to the Fine Arts Council; amending s. 265.29(5), Florida Statutes; directing the council to distribute funds on a per capita basis to the governing body of each county; directing that such funds be used to fund fine arts projects which, in the judgment of the governing body of the county, are worthwhile and effective; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Lewis—

**SB 977**—A bill to be entitled An act relating to mobile home parks; amending s. 83.695(2), Florida Statutes, requiring that tenants who rent, lease, or occupy real property in a mobile home park be offered a written lease of not less than 12 months duration; adding subsection (8) to s. 83.70, Florida Statutes, prohibiting fees or other charges for invitees of mobile home park tenants; amending s. 83.70(7), Florida Statutes; prohibiting mobile home park owners and operators from reselling to tenants electricity or gas purchased from a municipally owned utility at a higher rate than that charged by the utility; amending s. 83.71, Florida Statutes, providing that the tenancy of certain mobile home purchasers may not be terminated except upon refusal to assume the remainder of the term of a written lease; providing that a purchaser may be required to move his mobile home, prior to occupancy, to a different lot size or location in the park; amending s. 83.72, Florida Statutes, providing a civil remedy for violations of lease requirements under s. 83.695; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senators Myers and J. Thomas—

SB 978—A bill to be entitled An act relating to public food service establishments; amending s. 20.16(2)(b) and (11), Florida Statutes, and repealing subsection (6) thereof; renaming the Division of Hotels and Restaurants of the Department of Business Regulation as the Division of Hotels; amending ss. 509.013(1), (2), (3) and (6), 509.032, 509.072, 509.091, 509.092, 509.101(1), 509.141(1), (2) and (4), 509.142, 509.151, 509.161, 509.162, 509.211(2), (3), (5)(a) and (b), (6)(a) and (b), (8), (10) and (11)(a), (c), and (d), 509.211, 509.212, 509.221(1), (2), (4), (6), (8) and (9), 509.241(3), (4) and (5), 509.251(5), 509.261 (1)(a), (3)(a) and (b) and (4), 509.281, 509.291(1), 509.301(1), (2) and (3), 509.302(3) and 215.22(26), Florida Statutes; repealing ss. 509.013(5), 509.221(7), 509.241(2), 509.251(3) and (4) and 509.292, Florida Statutes; creating ss. 381.601-381.641, Florida Statutes; transferring all powers and duties relating to the licensing and regulation of public food service establishments from the Division of Hotels to the Department of Health and Rehabilitative Services; renaming the Hotel and Restaurant Trust Fund as the Hotel Trust Fund and providing for the deposit of funds collected by the department as a result of food service establishment regulation in the General Revenue Fund; providing for the appointment of a portion of the members of the Advisory Council for Industry Education by the Secretary of Health and Rehabilitative Services; removing the food service establishment representatives from the advisory council to the Division of Hotels and creating an advisory council on the food service industry, appointed by the secretary; directing the Division of Statutory Revision and Indexing to make certain changes; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator Dunn—

SB 979—A bill to be entitled An act relating to public lodging establishments; amending s. 509.101(2), Florida Statutes, and adding subsection (3) thereto, relating to the requirement that guest registers be kept by all public lodging establishment owners or operators and signed by or for guests who occupy rooms; providing that the register shall be available for inspection by law enforcement officers; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Judiciary-Criminal.

By Senators Graham and Vogt—

SB 980—A bill to be entitled An act relating to nursing homes; creating the Omnibus Nursing Home Reform Act of 1976; amending s. 400.071(1) and (2)(a), Florida Statutes, and adding a new paragraph to require certain financial disclosure by applicants for licensure; amending s. 400.17, Florida Statutes, relating to the prohibition against kickbacks, bribes, and certain contributions; providing definitions; providing penalties; amending s. 400.18, Florida Statutes, relating to the rights and protection of patients being transferred from a closing facility; amending s. 400.19, Florida Statutes, relating to inspection by the Department of Health and Rehabilitative Services; creating s. 400.191, Florida Statutes, to provide for distribution and availability of reports and records; amending s. 400.23, Florida Statutes, to provide for patient care standards and to provide for the establishment of criteria for the evaluation of nursing home facilities; providing that state vendor payments to nursing homes be tied to ratings received; providing for classification of deficiency ratings and civil penalties therefor; creating s. 400.022, Florida Statutes, to provide for the adoption of specified patient's rights; creating s. 400.29, Florida Statutes, to provide for an annual report by the department with respect to the nursing homes in the state; directing the Board of Regents of the State University System to establish two nursing home educational facilities and providing an appropriation therefor; creating s. 241.4715, Florida Statutes, to provide for courses of study, relating to the treatment of nursing home patients, in the state universities and community colleges; creating s. 409.268, Florida Statutes, relating to nursing homes which provide services to the indigent; requiring annual reports to the Legislature; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Johnston—

SB 981—A bill to be entitled An act relating to safe deposit boxes; amending s. 659.51(1), Florida Statutes; providing that a lessor of safe deposit boxes may proceed to remove and store the contents of a safe deposit box at the lessee's expense when the rent on such box has not been paid for 3 months; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Senate recessed at 8:40 a.m.

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—35:

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Gordon    | Myers       | Thomas, P. |
| Brantley        | Graham    | Peterson    | Tobiassen  |
| Childers, D.    | Hair      | Poston      | Trask      |
| Childers, W. D. | Henderson | Renick      | Vogt       |
| Deeb            | Holloway  | Saunders    | Ware       |
| Dunn            | Johnston  | Scarborough | Wilson     |
| Firestone       | Lane, J.  | Sims        | Winn       |
| Gallen          | Lewis     | Stolzenburg | Zinkil     |
| Glisson         | MacKay    | Thomas, J.  |            |

Dr. Robert M. McMillan, Senate Chaplain, introduced the Rev. Ralph E. McCaskill, Jr., pastor, First Presbyterian Church, Quincy, who delivered the following prayer:

Our Father, as this session of the Senate begins, we acknowledge our dependence upon your presence and your guidance. Be with each person as he assumes his place of responsibility. Impress us with the fact that through the ages you have called men to be your servants... some being required to speak the unpopular word, some to govern the unruly. Counsel each person here in all things great and small, so that small things shall become great, and great things shall become possible. Let no one here be willing to break faith with yesterday's promises, or leave unrepaired any of yesterday's wrongs. But by the same token, do not let the past ever become so precious that it sets limits upon the future. Continue to allow us to see visions and dream dreams, and by the power and presence of your Holy Spirit, give us the kind of commitment that turns visions into realities and dreams into actions. If necessary, startle us out of any complacency. Summon us to actions and ideals that we may have forgotten. Refresh within us the memory of those times when we dedicated ourselves to those things not only worth dying for, but also worth living for. Help us to avoid doing the wrong thing for the right reason, and never allow us to do the right thing for the wrong reason. As we live in the interval between the past and the future, make us conscious not only of rights and privileges, but also responsibilities and duties. Most of all, let no one here think that when this prayer is said that his dependence upon you is over. In your Holy name we pray. Amen.

Senator Saunders led the Senate in the pledge of allegiance to the flag of the United States of America.

#### BICENTENNIAL OBSERVANCE

The Fife and Drum Corps entered with Colors.

The President recognized Senator Harry Johnston who announced the activities for this day and the following were presented:

Musical program: *American Folk Trilogy* by Lincoln High School Pop Ensemble; *Because All Men Are Brothers* by Godby High School Chamber Singers; and *Chester* by the two groups combined.

Excerpts from inaugural speech of Governor William Dunn Moseley, Florida's first Governor under statehood, were read as follows by the Honorable B. K. Roberts, Justice of the Florida Supreme Court:

Senators, Representatives and Fellow citizens:

I should do injustice to the best feelings of my heart, were I not, on this occasion, to express a becoming sense of gratitude for the enviable and honorable distinction, so recently conferred upon me, in elevating me to the supreme Executive

authority of the State—a distinction the more happily prized from the flattering circumstances under which it was conferred. An expression of public sentiment through the suffrages of freemen, for an office within their gift, for which it was my earnest personal desire not to be a candidate.

I feel, fellow-citizens, a proud consciousness of the truth of the remark, when I assert, in the presence of my assembled countrymen, that this honor I have never sought, nor could it have been acceptable to me, but as the voluntary offering of freemen. Under such circumstances I do not feel myself at liberty to permit this opportunity to pass without adverting to a consciousness on my part of the want of experience, to a satisfactory discharge of a trust, the duties of which are alike arduous and responsible;—nor would I do justice to my feelings, if I failed to express the deep sense of painful solicitude which is felt for the performance of them, in a manner at once acceptable to my fellow citizens and to myself. They are entered upon, however, with a confident reliance upon the coordinate departments of the government, in the inception and consummation of such measures, as a proper regard for the best interests of the people may suggest, and which, if consummated, may at once insure, the happiness, the prosperity and the glory of our common country. Custom has sanctioned the usage which has ever received my cordial approbation, that public functionaries entrusted with executive authority, when about to enter upon the discharge of the duties assigned them, should give, at least an outline, of the leading political principles which may be deemed proper to be observed in the execution of the trust confided to them.

In relation then, to our Federal Government, I feel myself at liberty to remark that I believe it to be a government of strictly limited powers, a government formed and established through the agency and by the express authority and assent of the States, as independent sovereignties, by ceding, through a written Constitution, portions of that sovereignty for certain enumerated and specified purposes, which could not be so readily and happily effected by the States, as separate, independent communities; that the rights, powers and privileges, not thus transferred, were reserved as the rights of the States and of the people. That the exercise of any powers by the government thus established, other than those thus enumerated, or of such constructive powers as may be necessary and proper to carry into execution the enumerated powers, would be usurpation of the rights of the States and of the people: a violation of the letter and spirit of the Constitution, at once subversive of the compact—of the rights of the States and of the people.

In relation to our young State, now about to become a member of the great family of States, to you as the representatives of the people, delegated by their authority as the coordinate branch of the Government, now for the first time assembled—to you is confided the important and responsible trust of developing her resources, and of giving character to her institutions, by a liberal and enlightened, and patriotic public policy; and of establishing for her a permanent and enviable rank as one of the members of a confederacy, whose brilliant career and proud preeminence, in all that is great and useful; in the simplicity and purity of its civil institutions; the martial achievements of its heroes; the fervid eloquence of its orators, and the practical wisdom of its statesmen—challenge the wonder, the admiration and the rivalry of all Christendom; a confederacy whose dominions, increasing with colossal strides, already extend from the Atlantic to the Pacific, and from the sunny regions of the tropics, to the ice bound possessions of the Autocrat of the north.

It is not my purpose on this occasion to enter into a specific enumeration of all such measures as would, if perfected, effect the attainment of our utmost wishes; but I feel called upon, by a sense of duty, to allude, in an especial manner, to the necessity of a sound constitutional currency; to the preservation of the public credit; to a well regulated system of Common Schools and the School Fund; to the finances of the State, and to the promotion of "virtue, science and knowledge;" all of which are deemed essential to the purity and preservations of our Republican Institutions, and which cannot be entirely disregarded without a violation of the injunctions of the Constitution. These subjects being deemed of vital importance to the ultimate success of our government, and to the happy condition of the people, individually, shall at all times, receive such assurances of Executive approbation as may come within the constitutional scope of authority, of that department of the Government.

And now, Senators and Representatives, I approach with a trembling solicitude, the discharge of the duties assigned me, relying upon your support in the discharge of them, whenever my official conduct may commend itself to your favorable consideration; and invoking the aid of the Father of the Universe in our attempt at self-government, that He would be in the midst of our Councils, guiding and directing them for the Common good and appealing to Him for sincerity of my motives and the rectitude of my intentions in the performance of my duty, to my country and to myself; I take upon me the high, responsible and solemn obligations enjoined by the Constitution, with the anxious wish and fervent hope that my administration may be as successful, in promoting the best interests of our beloved country, as my fellow-citizens have been kind, indulgent, generous and confiding.

Senator Johnston introduced Mrs. B. K. Roberts, wife of Justice Roberts.

Senator Johnston expressed appreciation of the Senate for the program and the Fife and Drum Corps led the departure from the chamber.

## REPORTS OF COMMITTEES

The Committee on Agriculture recommends the following pass: SB 772

The Committee on Health and Rehabilitative Services recommends the following pass: SB 697

The Committee on Judiciary-Civil recommends the following pass: SB 439

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 306 with 3 amendments

The bill was referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 581

The bill was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Judiciary-Civil recommends the following pass: SB 459 with 3 amendments

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass:

SB 521

SB 522 with 3 amendments

The bills were referred to the Committee on Governmental Operations under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 653 with 3 amendments

The Committee on Health and Rehabilitative Services recommends the following pass:

SB 94 with 2 amendments  
SB 642

SB 723 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass:

SB 529

SB 566

SB 651

SB 658

SB 700



The Committee on Agriculture recommends the following pass:

SB 849            SB 865            CS for HB 2272

The Committee on Transportation recommends the following pass: SB 606, SB 655

The Committee on Governmental Operations recommends the following pass:

SB 27, SB 463 with 2 amendments, SB 652 with 5 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 166

The bill with Committee Substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 277

The bill with Committee substitute attached was placed on the calendar.

The Committee on Agriculture recommends the following not pass: SB 806, SB 840

The Committee on Transportation recommends the following not pass: SB 240

The bills contained in the foregoing reports were laid on the table.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote Senate Bills 34 and 84 were withdrawn from Ways and Means Subcommittee A.

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote SB 212 was withdrawn from the Committees on Governmental Operations and Rules and Calendar and referred to the Committee on Commerce.

On motion by Senator W. D. Childers, by two-thirds vote SB 935 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator W. D. Childers, by unanimous consent—

SB 935—A bill to be entitled An act relating to the Escambia County School District; providing for the employment of the school superintendent by the school board; providing for two additional school board members-at-large; providing for student election for school nickname; providing a referendum; providing an effective date.

—was taken up out of order and by two-thirds vote read the second time by title.

Senator W. D. Childers moved the following amendments which were adopted:

Amendment 1—On page 2, strike all of lines 13 and 14 and insert: special election on June 8, 1976. A separate question for each section of this act shall appear on the ballot as follows:

1. Do you favor appointment of the Superintendent of Schools by the District School Board?

2. Do you favor increasing the membership of the Escambia County District School Board by 2 additional members elected at large?

3. Do you favor limiting the salary of future members of the District School Board to \$200 per month plus per diem and mileage?

4. Do you favor a nonpartisan election for District School Board members and limitations on the activities of candidates for board membership?  
Each

Amendment 2—On page 1, lines 24 through 29 and page 2, lines 1 through 6 strike all of section 3 and insert:

Section 3. The members of the School Board of the Escambia County School District shall receive a monthly salary not to exceed \$200 and per diem and mileage as provided in s. 112.061, Florida Statutes. However, a school board member serving on the effective date of this section may receive his present salary until the end of his present term.

Section 4. (1) Members of the School Board of the Escambia County School District shall be elected on separate nonpartisan ballots at first and second nonpartisan elections. The first nonpartisan election shall be held at the time of the second primary election provided for by s. 100.091, Florida Statutes. The second nonpartisan election shall be held at the time of the general election provided for by s. 100.031, Florida Statutes.

(2)(a) Candidates for school board office shall qualify with the Division of Elections of the Department of State no earlier than noon of the 63rd day, and no later than noon of the 49th day, before the first nonpartisan election. Filing shall be on forms provided for that purpose by the Division of Elections.

(b) Candidates shall qualify in groups where multiple school board offices are to be filled.

(c) Each candidate qualifying for school board office shall pay the Division of Elections a qualifying fee of 5 percent of the annual salary of the office to which he seeks election. The Division of Elections shall forward all such qualifying fees to the Department of Revenue for deposit in the General Revenue Fund.

(d) All candidates for school board office shall subscribe to an oath or affirmation in writing to be filed with the Division of Elections upon qualifying and in which he shall state:

1. That he was registered to vote in this state in the last preceding general election;

2. The title of the office for which he is a candidate;

3. That he is a qualified elector of the state and of the Escambia County School District;

4. The name of the county of his legal residence;

5. That he is qualified under the laws of this state to hold the school board office to which he desires to be elected;

6. That he has not violated any of the laws of the state relating to elections or registration of electors;

7. That he has taken the oath as required by ss. 876.05-876.10, Florida Statutes;

8. That he has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent to the office he seeks; and

9. That he has filed with the division a sworn statement of contributions and expenditures incurred prior to the time of qualifying and since the last preceding general election.

(3) In a school board nonpartisan election:

(a) When the paper ballot is used, it shall be separate and apart from any partisan ballot and shall contain, in addition to the formal parts and instructions to voters, the names of all the candidates and the respective school board offices for which they are candidates.

(b) When voting machines are used, the name of the candidate in the school board nonpartisan election shall be on a separate line or column and shall be clearly designated as such.

(c) The names of all candidates for the school board office being filled shall be listed in alphabetical order.

(d)1. Provision shall be made for the elector to write in the name of any person who has filed the oath or affirmation

required by subsection (2)(d) with the Division of Elections at least 45 days prior to the date of the second nonpartisan election.

2. The Division of Elections shall follow the procedure prescribed by s. 99.023(3), Florida Statutes, for any candidate qualifying in accordance with subparagraph 1.

(e) No reference to political party affiliation shall appear on any ballot to be used in a nonpartisan school board election.

(4)(a)1. The names of unopposed candidates shall not appear on the nonpartisan ballot unless a write-in candidate has qualified under subsection (3)(d).

2. If two or more candidates qualify for a particular office, the names of those candidates shall be placed on the ballot for the first nonpartisan election.

(b) In order to be elected in the first nonpartisan election, a candidate must receive a majority of all the votes cast for the office. If no candidate receives a majority of all votes cast, the two candidates receiving the highest number of votes shall have their names placed on the ballot for election at the second nonpartisan election.

(c) The candidate receiving the highest number of votes cast for the office at the time of the second nonpartisan election shall be declared elected. Should the second nonpartisan election result in a tie, the outcome shall be determined by lot.

(5) All qualified electors shall be eligible to vote in all school board nonpartisan elections.

(6) A candidate for school board office shall not:

- (a) Participate in any partisan political party activities;
- (b) Campaign as a member of any political party;
- (c) Publicly represent or advertise himself as a member of any political party;
- (d) Endorse any candidate;
- (e) Make political speeches other than in his own behalf;
- (f) Make contributions to political party funds;
- (g) Accept political party funds;
- (h) Solicit contributions to political party funds;
- (i) Accept or retain a place on any political party committee;
- (j) Make any contribution to any person, group, or organization for its endorsement to school board office; or
- (k) Agree to pay all or any part of any advertisement sponsored by any person, group, or organization wherein the candidate may be endorsed for school board office by any such person, group, or organization.

(7) Candidates for school board office may accept contributions and may incur only such expenses as are authorized by law. They shall keep an accurate record of their contributions and expenses, and shall file reports thereof on the same basis as required of candidates for state and county offices.

(8)(a) No political party or partisan political organization shall endorse, support, or assist any candidate in a campaign for election to school board office.

(b) Any person in his individual capacity or as an officer of an organization who knowingly violates the provisions of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

(9) The provisions of chapters 97-104, Florida Statutes, are inapplicable to the extent that such provisions conflict with the provisions of this section.

(Renumber subsequent section)

**Amendment 3**—On page 1, lines 8 and 9, strike : “providing for student election for school nickname” and insert: providing compensation for school board members; providing for nonpartisan election of school board members; providing for filing fees and conduct of candidates; providing penalties;

On motion by Senator W. D. Childers, by two-thirds vote SB 935 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—23

|                 |           |             |            |
|-----------------|-----------|-------------|------------|
| Mr. President   | Firestone | MacKay      | Thomas, J. |
| Brantley        | Gordon    | Peterson    | Thomas, P. |
| Childers, D.    | Graham    | Poston      | Tobiassen  |
| Childers, W. D. | Hair      | Saunders    | Vogt       |
| Deeb            | Holloway  | Scarborough | Wilson     |
| Dunn            | Lewis     | Sims        |            |

Nays—2

Henderson      Ware

Vote after roll call:

Yea—Lane, J.

On motion by Senator Childers the rules were waived and SB 935 was immediately certified to the House.

#### REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 15 days for consideration of the following:

|                                       |                                     |
|---------------------------------------|-------------------------------------|
| SB 554 by Senator MacKay              | SB 644 by Senator Lewis             |
| SB 560 by Senators Winn and Gordon    | SB 647 by Senator J. Lane           |
| SB 561 by Senator Hair                | SB 518 by Senator Spicola           |
| SB 572 by Senator Ware                | SB 551 by Senator P. Thomas         |
| SB 573 by Senator Hair                | SB 231 by Senator Myers             |
| SB 589 by Senators Dunn, Gordon       | SB 650 by Senator Winn              |
| SB 590 by Senator Hair                | SB 666 by Senator P. Thomas         |
| SB 594 by Senator Holloway            | SB 672 by Senator Wilson            |
| SB 597 by Senator Graham              | SB 678 by Senator Hair              |
| SB 602 by Senator P. Thomas           | SB 681 by Senator Lewis             |
| SB 612 by Senator Winn                | SB 693 by Senators Gordon, Winn     |
| SB 622 by Senator Winn                | SB 696 by Senator J. Thomas         |
| SB 625 by Senator Johnston            | SB 698 by Senator Trask             |
| SB 626 by Senators Saylor and Deeb    | SB 701 by Senator McClain           |
| SB 628 by Senator Johnston            | SB 709 by Senator Glisson           |
| SB 630 by Senator Winn                | HB 1445 by Representative Gallagher |
| SB 635 by Senator Myers               | HB 1052 by Representative Hawkins   |
| SB 636 by Senators Graham and Glisson |                                     |

The Special Master on Claims requests an extension of 15 days for consideration of the following:

|                            |                                |
|----------------------------|--------------------------------|
| SB 61 by Senator McClain   | SB 201 by Senator Lewis        |
| SB 100 by Senator Graham   | SB 238 by Senator McClain      |
| SB 123 by Senator Lewis    | SB 274 by Senator Gordon       |
| SB 169 by Senator Peterson | SB 285 by Senator Johnston     |
| SB 178 by Senator Renick   | SB 289 by Senator Wilson       |
| SB 179 by Senator Renick   | SB 488 by Senator Childers, D. |

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

|   |                           |
|---|---------------------------|
| SB 463 by Senator Peterson              | SB 679 by Senator Gallen  |
| SB 400 by Senator MacKay                | SB 680 by Senator Vogt    |
| SB 552 by Senator J. Lane               | SB 682 by Senator Dunn    |
| SB 652 by Senator Wilson                | SB 683 by Senator Vogt    |
| SB 653 by Senator Wilson                | SB 684 by Senator Vogt    |
| SB 654 by Senator Wilson                | SB 685 by Senator Vogt    |
| SB 660 by Senator McClain               | SB 686 by Senator Saylor  |
| SB 662 by Senator MacKay                | SB 687 by Senator Glisson |
| SB 663 by Senator MacKay                | SB 688 by Senator Glisson |
| SB 667 by Senator Henderson             | SB 692 by Senator Vogt    |
| SB 669 by Senator Tobiassen             | SB 694 by Senator Myers   |
| SB 675 by Senator Plante                | SB 702 by Senator Myers   |
| SB 677 by Senators McClain and Brantley | SB 705 by Senator Myers   |
|   | SB 706 by Senator Vogt    |

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following:



SB 553 by Senator Spicola  
 SB 566 by Senator Spicola  
 SB 574 by Senator Poston  
 SB 581 by Senators Wilson  
 and Graham  
 SB 604 by Senator W. D.  
 Childers  
 SB 607 by Senator W. D.  
 Childers

SB 610 by Senator W. D.  
 Childers  
 SJR 643 by Senator Myers  
 SB 406 by Senators Peterson  
 and Lewis  
 SB 673 by Senator Zinkil and  
 others

HB 2638 HB 1300 HB 370

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative McDonald and others—

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following:

SB 229 by Senator Myers  
 SJR 227 by Senator Dunn  
 SB 228 by Senator Dunn  
 HCR 2833 by Representative  
 Culbreath  
 SB 585 by Senator Vogt

SCR 596 by Senators Zinkil  
 and J. Thomas  
 SB 599 by Senator Wilson  
 SJR 619 by Senator Gallen  
 SM 646 by Senator Graham

# MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 298 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Melvin—

HB 298—A bill to be entitled An act relating to elections; adding subsection (5) to s. 106.10, Florida Statutes, 1974 Supplement, to prohibit candidates and political committees, or representatives thereof, from purchasing advertising in certain newspapers or publications; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed—

HB 1116 HB 177

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Pajcic—

HB 1116—A bill to be entitled An act relating to homestead property; amending s. 222.01, Florida Statutes, providing that the head of a family may include a description of certain personal property in a statement of his property claimed to be exempt from forced sale; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

By Representative Redman and others—

HB 177—A bill to be entitled An act relating to public assistance; amending s. 409.325(1), Florida Statutes, increasing the penalty for fraudulently obtaining, or attempting to obtain, assistance to which a person is not entitled when the aggregate value of the assistance in a 12-month period is \$200 or more; prohibiting persons from knowingly using or receiving any such fraudulently obtained assistance and providing penalties for violation; providing that repayment of any fraudulently obtained assistance shall not constitute grounds for a dismissal of charges; making the introduction into evidence of a state warrant in favor of the defendant prima facie evidence that the defendant received assistance; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended—

—was read the first time by title and referred to the Committees on Judiciary-Criminal and Commerce.

By Representatives Langley and Smith—

HB 1300—A bill to be entitled An act relating to juveniles; creating s. 39.025, Florida Statutes, authorizing the state attorney to seek a grand jury indictment or file an information against any child, aged 16 or older, charged with certain felonies, for trial as an adult, without the requirement that the state attorney file a petition alleging delinquency and that an adjudicatory hearing be held on the petition; providing that in cases when a child is treated as an adult pursuant to chapter 39, Florida Statutes, with respect to capital or life felonies, that child shall also be treated as an adult for all subsequent felonies; providing that the circuit court may dismiss the indictment or information and treat the child as a child; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By Representative Williamson and others—

HB 370—A bill to be entitled An act relating to mortgages; adding subsection (3) to s. 697.01, Florida Statutes, defining the term "purchase-money mortgage"; creating s. 697.06, Florida Statutes, providing that mortgagors may prepay mortgages without penalty when the mortgage note is silent with respect to prepayment; requiring mortgages and mortgage notes which have a prepayment penalty to set the penalty forth in bold face type; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended by the required Constitutional three-fifths vote of the membership of the House, HJR 72 (cs), and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Judiciary and Representative Redman and others—

HJR 72 (cs)—A joint resolution proposing an amendment to Section 7 of Article IV of the State Constitution relating to suspension from office of certain state officials.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Dempsey J. Barron, President*

April 22, 1976

I am directed to inform the Senate that the House of Representatives has adopted as amended HM 2801 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Craig and others—

**HM 2801**—A memorial to the Congress of the United States, petitioning that a convention be called pursuant to Article V of the United States Constitution, to consider amending the same to prohibit the incurrence of national debt except in a state of emergency as declared by a three-fourths vote of the members of both houses of Congress; providing that the purview of such convention be strictly limited to the consideration of this amendment.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3500 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Appropriations—

**HB 3500**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1976 and ending June 30, 1977 to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 27.34(2), 27.54(3), 215.32(2)(C), 216.262, 216.292, 216.301(2), 230.767(4)(B), 230.767(2), 216.011(1)(C), 216.181, 219.192, 216.351, 20.22, 255.25, and 402.17(3), F.S.; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Dempsey J. Barron, President*

I am directed to inform the Senate that the House of Representatives has passed HB 2567 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Richmond—

**HB 2567**—A bill to be entitled An act relating to Pasco County, for the relief of John Weidner; directing the District School Board of Pasco County to compensate him for damages incurred through injuries as a result of an accident on school property in Pasco County; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Special Master and the Committee on Ways and Means.

#### CO-INTRODUCERS RECORDED

Senator Lewis—Senate Bills 76, 454, 455 and 889; Senator Zinkil—Senate Bills 260 and 757; Senator Brantley—Senate Bills 895 and 918; Senator Vogt—SB 561; Senators Winn and P. Thomas—SB 796

The Journal of April 23 was corrected and approved.

The Journal of April 22 was further corrected and approved as follows:

Page 140, counting from bottom of column 2, line 15, strike "HB" and insert: SB

On motion by Senator Brantley, the Senate adjourned at 9:43 a.m. to convene at 8:30 a.m., April 28, 1976 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m. April 28.

The Senate did not meet Monday, April 26, 1976. Below are lobbyist registrations during April 16 through April 22, 1976.

#### LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE

*Name & Address; Entity Represented & Address if different; Legislation Involved; Association with Legislator if any*

**Allsworth, Emerson** 1177 SE 3rd Ave Ft Lauderdale 33316  
Fl Bond Council Municipal bonding

**Anderson, Marilyn W.** 430 S Stewart St Quincy FTP 325 John  
Knox Rd Tallahassee Education

**Andrews, Sam D.** 208 W Pensacola St Tallahassee 32304 United  
Faculty of Fl Education

**Ashcraft, John R.** 1610 Thomasville Rd Tallahassee 32303 Fla  
Council for Community Mental Health Mental health

**Bernardini, Cheryl D.** 325 John Knox Rd Suite L-500 Tallahassee  
32303 FTP Education

**Betten, Neil** 208 W Pensacola Tallahassee 32303 United Faculty  
of Fl Education

**Bishop, Louise S.** 1800 W. 49 St Hialeah 33012 FTP 325 John  
Knox Rd Education

**Blanchard, Joe** Game & Fresh Water Fish Comm 620 S Meridian  
Tallahassee 32304 Game & Fresh Water Fish Comm Natural resources

**Blanco, Anna** Box 5692 FSU 32313 Self Education

**Brindell, James R.** Dept of Environmental regulation 2562  
Executive Center Circle East Tallahassee 32301 Dept of Environmental Regulation Environmental regulation

**Brock, Nancy N.** Raa School 401 W Tharpe Tallahassee 32303  
FTP 325 John Knox Rd Tallahassee Education

**Brooks, Lavelle** Rt 1 Ponce de Leon 32455 Holmes Co Teachers Assn Education

**Brown, Marilyn Baker** High School Baker FTP 325 John Knox  
Rd Tallahassee 32303 Education

**Carlton, Fran** 1250 Henry Balch Orlando 32810 Self Fitness

**Carter, June M.** Baker School Box 247 Baker 32531 FTP 325  
John Knox Rd Tallahassee 32303 Education

**Chance, Chester B.** 419 E University Ave Gainesville Conference  
of County Court Judges Judicial branch

**Clark, Cynthia** 2636 Mission Rd #261 Tallahassee 32304 Fla  
Teaching Profession 325 John Knox Rd Tallahassee 32303 Education

**Crews, John J.** 209 Courthouse Gainesville 32601 Fl Conference  
of Circuit Judges Judiciary

**Cross, Barbara J.** Santa Fe Community College Gainesville  
32601 Fla Vocational Assn Box 837 Oviedo 32765 Funding

**Cuttillo, Molly** Box 618 Havana High School Havana 32333 Fla  
Teaching Profession 325 John Knox Rd Tallahassee 32303 Education

**Daniels, Charles R.** 602 Gunter St Tallahassee 32303 Oakhill  
Tribal Town Rt 12 Box 1310 Tallahassee 32304 American Indians higher education general.

**De Meyere, Wayne B.** 1400 SE 12th St Cape Coral 33904 FTP  
John Knox Rd Tallahassee Education

Dickey, George W. 281 Mississippi Ave Valparaiso 32580 Okaloosa County Education Assn Education

Dickinson, David W. 325 John Knox Rd Suite L-500 Tallahassee FTP Education

Dixon, George W. 602 Gunter St. Tallahassee 32303 Oak Hill Tribal Town Rt 12 Box 1310 Tallahassee 32304 Amer indian higher educ general

Dyal, Gilda 401 W. Tharpe Tallahassee 32303 FTP 325 John Knox Rd. Tallahassee Education

Ealy, Dorothy A. 504 4th St Crestview 32536 FTP 325 John Knox Rd Tallahassee 32303 Education

Fischer, David J. 1800 Karleton Place So St. Petersburg 33712 Fla Municipal Bond Council Finance—Bonds

Foley, Edward J., Jr. Spencer Dr West Palm Beach Palm Beach Co Classrm Teachers Assn Education

Fosket, Marion M. 136 25 Ave North St Petersburg 33704 Weal Women & education

Francis, Willie Lou 107 S Love St Quincy 32351 Fla Teaching Profession 325 John Knox Rd Tallahassee 32303 Education

French, Betty 113 N Anchorage Dr North Palm Beach 33408 AAUW 200 E College Tallahassee 32301 ERA & others

Gallagher, Rosemary F. Box 1571 Suite 314 Barnett Bank Bldg Tallahassee 32302 Fla Catholic Conference General

Gebauer, Margaret S. Baker School Rt 1 Baker 32531 FTP 325 John Knox Rd Tallahassee 32303 Education

Gilchrist, Thomas S., Jr Perry Bldg 100 E 17th St Riviera Beach 33404 Fla Cable Television Assn Cable TV industry

Goring, Helen F. 4112 Pinelake Lane Tampa 33624 FTP 325 John Knox Rd Tallahassee Education

Green, Ora B. 324 S Shadow St Quincy FTP 325 John Knox Rd Tallahassee Education & appropriation

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